



ENTERED
08/12/2010

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:

FEX, INC.

CASE NO. 10-33843-H5-11

Debtor

Chapter 11

**WASHINGTON/SHEPHERD
PARTNERS, LTD.**

Movant

V.

FEX, INC. D/B/A CREW HEALTH & FITNESS
Respondent

AGREED ORDER TERMINATING AUTOMATIC STAY
[RE: DOCKET NO. 31]

On this day came on for consideration the *Motion for Relief from Stay* (Docket No. 31) (the “Motion”) filed herein on June 9, 2010 by Washington/Shepherd Partners, Ltd. (“Washington” or “Movant”) seeking termination of the automatic stay of 11 U.S.C. § 362 to permit Movant to take all steps necessary to enforce its interests in the Leased Premises as referenced and described in the Motion. The Court finds that the Movant properly served the Motion and the notice of hearing regarding the Motion to the persons entitled to received notice thereof, and that the Movant otherwise complied with Fed. R. Bankr. P. 4001 and BLR 4001.1. Therefore, in light of the agreement of the parties as reflected by the signature of their respective

counsel appearing below, the Court is of the opinion that the following Agreed Order should be entered. IT IS THEREFORE

ORDERED that the automatic stay of 11 U.S.C. § 362 be and is hereby terminated to permit Washington/Shepherd Partners, Ltd. to take all steps necessary to obtain possession of and enforce its remedies in the Leased Premises, as referenced and described in the Motion and commonly known as 4820 Washington Ave., Houston, Harris County, Texas, in accordance with applicable law; it is further

ORDERED that the Debtor shall immediately surrender possession and control of the Leased Premises to the Movant; and it is further

ORDERED that the fourteen day stay afforded by Bankruptcy Rule 4001(a)(3) shall not apply in this case.

SIGNED this 11th day of August, 2010.


UNITED STATES BANKRUPTCY JUDGE

{continued on following page}

AGREED:

WEYCER, KAPLAN, PULASKI & ZUBER, P.C.

BY: /s/ Jeff Carruth

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** Signature by permission by Jeff Carruth*